

PHILLIP A. TALBERT  
United States Attorney  
JUSTIN J. GILIO  
KEVIN C. KHASIGIAN  
Assistant United States Attorneys  
2500 Tulare Street, Suite 4401  
Fresno, CA 93721  
Telephone: (559) 497-4000  
Facsimile: (559) 497-4099

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
DIEGO LUA-GARCIA,  
  
Defendant.

CASE NO. 1:20-CR-00031-JLT-BAM  
  
PRELIMINARY ORDER OF  
FORFEITURE

Based upon the plea agreement entered into between plaintiff United States of America and defendant Diego Lua-Garcia, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

1. Pursuant to 21 U.S.C. § 853(a), defendant Diego Lua-Garcia's interest in the following property shall be condemned and forfeited to the United States, to be disposed of according to law:

a. Approximately \$225,000.00, plus all accrued interest, in lieu of real property located at 13302 Avenue 460, Orange Cove, Tulare County, California, APN: 005-040-41.

2. The above-listed property constitutes or is derived from proceeds obtained, directly or indirectly, as a result of violation of 21 U.S.C. § 843(b), and/or was used, or intended to be used, in any manner or part to commit or to facilitate the commission of a violation of 21 U.S.C. § 843(b).

3. Pursuant to Rule 32.2(b)(3), the Attorney General (or a designee) shall be authorized to seize the above-listed property. The aforementioned property shall be seized and held by the U.S. Marshals Service, in its secure custody and control.

1           4.       a.       Pursuant to 21 U.S.C. § 853(n), and Local Rule 171, the United States shall  
2 publish notice of the order of forfeiture. Notice of this Order and notice of the Attorney General's (or a  
3 designee's) intent to dispose of the property in such manner as the Attorney General may direct shall be  
4 posted for at least 30 consecutive days on the official internet government forfeiture site  
5 [www.forfeiture.gov](http://www.forfeiture.gov). The United States may also, to the extent practicable, provide direct written notice  
6 to any person known to have alleged an interest in the property that is the subject of the order of  
7 forfeiture as a substitute for published notice as to those persons so notified.

8                   b.       This notice shall state that any person, other than the defendant, asserting a legal  
9 interest in the above-listed property, must file a petition with the Court within sixty (60) days from the  
10 first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or  
11 within thirty (30) days from receipt of direct written notice, whichever is earlier.

12           5.       If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court  
13 will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(a), in which all interests will be  
14 addressed.

15 IT IS SO ORDERED.

16       Dated:    **August 29, 2024**

  
UNITED STATES DISTRICT JUDGE